The meeting was called to order at 3.25 p.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.36, L.45, L.46, L.47, L.48/Rev.1, L.50, L.52, L.54, L.57, L.58 and L.70)

Draft resolution A/C.3/51/L.70: United Nations Decade for Human Rights Education and public information activities in the field of human rights

1. Ms. DE WET (Namibia) introduced draft resolution A/C.3/51/L.70 on behalf of the sponsors, who had been joined by Chile, Ethiopia, Fiji, Italy, Nepal, Nigeria, Portugal, the Republic of Korea, Suriname, Swaziland and Tunisia. Convinced that education and public information activities in the field of human rights were prerequisites for the full and effective enjoyment of all human rights and fundamental freedoms, the three main sponsors, Australia, Costa Rica and Namibia, had decided to draft a single text combining two previous General Assembly resolutions on that issue. Following consultations, numerous amendments had been made to the text; the revised text would be distributed shortly as document A/C.3/51/L.70/Rev.1. The sponsors hoped that the draft resolution would be adopted without a vote.

2. Ms. TAVARES DE ALVAREZ (Dominican Republic), Mr. DE ROJAS (Venezuela), Mr. KHAN (Pakistan), Ms. WILLIAMS-STEWART (Samoa) and Mr. HOUNSOU (Benin) said that their delegations wished to join the list of sponsors of the draft resolution.

3. The CHAIRMAN announced that Bosnia Herzegovina, the former Yugoslav Republic of Macedonia, Guatemala, Guinea-Bissau, Peru and Ukraine also wished to join the list of sponsors.

Draft resolution A/C.3/51/L.36: Respect for the right to universal freedom of travel and the vital importance of family reunification

4. The CHAIRMAN said that the draft resolution had no budgetary implications and that a recorded vote had been requested.

5. A recorded vote was taken on draft resolution A/C.3/51/L.36.

In favour: Afghanistan, Algeria, Angola, Armenia, Bahrain, Bangladesh, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New

Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Japan, United States of America.

Abstaining: Albania, Andorra, Antigua-Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Jordan, Kazakstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad-Tobago, Ukraine, United Arab Emirates, United Kingdom, Uzebekistan.

6. Draft resolution A/C.3/51/L.36 was adopted by 79 votes to 3, with 75 abstentions.

7. Ms. TAMLYN (United States of America), speaking in explanation of vote after the voting, said that her country recognized many fundamental rights relating to freedom of travel, specifically the right to travel within one's own country and to freely leave or return to it. The country which had introduced draft resolution L.36 was in no position to preach to anybody about that issue since its citizens were still required to pay exorbitant sums of money in foreign currency to be able to emigrate and had to prove their political loyalty to the current regime in order to be able to travel abroad.

8. Mr. LILLO (Chile) said that his delegation had voted in favour of the draft resolution because it had always attached importance, both in the Commission on Human Rights and in the General Assembly, to the rights of migrants. However, his delegation regretted the fact that the text did not mention the right of every person to leave any country, including his own, as provided for in article 13 of the Universal Declaration of Human Rights, and article 12 of the International Covenant on Civil and Political Rights.

9. Mr. DE ROJAS (Venezuela) said that the draft resolution reflected the norms and principles of the Universal Declaration of Human Rights and other international instruments such as the International Covenant on Civil and Political Rights and his delegation had therefore voted for the text. The Venezuelan delegation regretted, however, that certain paragraphs of the resolution were not in keeping with the rules of law in effect in many countries, especially in receiving countries which had concluded bilateral agreements aimed at controlling migratory flows. He hoped that that comment would be considered in future General Assembly resolutions on that subject.

10. Ms. DIAZ (Mexico) said that her delegation had voted for the draft resolution, because certain parts of the text were particularly important for the promotion of the rights of migrants. However, she wished to emphasize that the right to freedom of travel, as provided for in article 13 of the Universal Declaration of Human Rights, applied to all persons, not just migrants.

11. Ms. LIMJUCO (Philippines) said that her delegation had voted in favour of the draft resolution because the latter upheld universal freedom of travel and the right of migrants to live with their family.

12. Mr. REYES RODRIGUEZ (Cuba) deplored the unconstructive stance of the United States delegation on the draft resolution. Referring to article 13 of the Universal Declaration of Human Rights, the Cuban representative invited the United States Government to lift the restrictions which it imposed, in contravention of the right of freedom of travel, on its own citizens who wished to travel to Cuba. He invited that Government also to lift the restrictions on Cuban nationals residing in the United States who wished to return to their country or to send money to their families that had remained in Cuba.

Draft resolution A/C.3/51/L.45: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

13. The CHAIRMAN said that the draft resolution had no programme budget implications. She announced that Albania, Australia, Belarus, Cape Verde, Costa Rica, Croatia, El Salvador, Fiji, Georgia, Greece, Latvia, Malta, the Marshall Islands, Norway and the Solomon Islands had become sponsors of the draft resolution.

14. Mr. THEUERMANN (Austria) said that Burundi, Ethiopia, Finland, San Marino and the United States had also joined the list of sponsors of the draft resolution.

15. Draft resolution A/C.3/51/L.45 was adopted without a vote.

Draft resolution A/C.3/51/L.46: Human rights questions: extrajudicial, summary or arbitrary executions

16. The CHAIRMAN said that the draft resolution had no programme budget implications and that Andorra, Benin, San Marino, Senegal, Slovakia and the Former Yugoslav Republic of Macedonia had become sponsors of the draft resolution.

17. Mr. RYTÖVUORI (Finland) pointed out two corrections that should be made to the draft resolution. In paragraph 3, the words "all alleged" should be replaced by the words "all suspected cases of." Moreover, paragraph 8 should be placed after paragraph 4, and the other paragraphs renumbered. He hoped that the draft resolution could be adopted without a vote.

18. Ms. NEWELL (Secretary of the Committee) said that the required corrections would be made. Moreover, as Algeria had requested, the French version would be corrected so as to bring it into line with the English version.

19. Draft resolution A/C.3/51/L.46 was adopted without a vote.

Draft resolution A/C.3/51/L.47: Elimination of all forms of religious intolerance

20. The CHAIRMAN said that the draft resolution had no programme budget implications and that the following countries had become sponsors: Albania, Andorra, Argentina, Burundi, Croatia, Fiji, Georgia, India, Liechtenstein, Malta, the Marshall Islands, Panama, Papua New Guinea, Poland, Romania, the Former Yugoslav Republic of Macedonia and Ukraine.

21. Mr. BIGGAR (Ireland) said that Australia, Bosnia and Herzegovina, Norway, the Republic of Moldova, San Marino and the United States of America had joined the list of sponsors of the draft resolution. In addition, the draft resolution should be amended in the following manner: the expression "religious extremism" in the eighth preambular paragraph and in paragraph 4 should be replaced by the expression "religious intolerance", in accordance with the consensus reached on that point in Geneva at the most recent session of the Commission on Human Rights. He hoped that the revised draft resolution would be adopted without a vote.

22. Draft resolution A/C.3/51/L.47 was adopted without a vote.

Draft resolution A/C.3/51/L.48/Rev.1: Question of enforced or involuntary disappearances

23. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.48/Rev.1. She said that it had no programme budget implications and that the following countries had joined the list of sponsors: Albania, Benin, Mauritius, Pakistan, the Former Yugoslav Republic of Macedonia.

24. Draft resolution A/C.3/51/L.48/Rev.1 was adopted without a vote.

Draft resolution A/C.3/51/L.50: Follow-up to the United Nations Year for Tolerance

25. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.50. She said that the draft resolution had no programme budget implications.

26. Mr. ARDA (Turkey) said that the delegation of Kazakstan had indicated that it had become a sponsor of the draft resolution. He also pointed out that paragraph 3 of the draft resolution should include the words "(Republic of Korea)", after "Seoul", the word "(India)" after "New Delhi" and the word "(Georgia)" after "Tbilisi". The English text of the draft resolution should read "Tbilisi", without an apostrophe, and not "T'bilisi."

27. The CHAIRMAN said that the following countries had joined the list of sponsors of the draft resolution: Burundi, Costa Rica, the Dominican Republic,

Guinea-Bissau, Malaysia, Mauritius, Mongolia, Niger, Pakistan, Papua New Guinea, the Philippines and Rwanda.

28. Draft resolution A/C.3/51/L.50 was adopted without a vote.

29. Mr. MEKDAD (Syrian Arab Republic) said that his delegation represented a country whose relations with other countries had always been based on tolerance. For that reason, it had joined in the consensus on draft resolution A/C.3/51/L.50. It nevertheless wished to clarify its position on certain concepts that could not be fully considered during the elaboration of the Declaration of Principles on Tolerance and of the Follow-up Plan of Action for the United Nations Year for Tolerance, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 16 November 1995.

30. For the Syrian Arab Republic, tolerance did not mean violation of the principles of the Charter of the United Nations or of international humanitarian law; it did not mean standing silent in the face of aggression and the occupation of land belonging to other peoples; tolerance did not mean accepting fanaticism, organized massacres, the appropriation of other people's land by force, the expulsion of the owners of such lands and confiscation of their property; tolerance was incompatible with the use of force and with intransigence, which could never prevail over the law.

31. The subject of terrorism had been dealt with only in very general terms in the aforementioned Declaration and Plan of Action, and no distinction had been drawn between terrorism and the just struggle of peoples against foreign occupation. The Syrian Arab Republic had always condemned terrorism in all its forms and had always called for action to combat it. It had supported the United Nations resolutions that condemned terrorism, in accordance with the Charter of the United Nations, the principles of international law and the Vienna Declaration and Programme of Action, as well as the General Assembly's Declaration on the Occasion of the Fiftieth Anniversary of the United Nations.

32. With regard to racial discrimination, his delegation naturally condemned racial violence, xenophobia and racism, but could not accept a failure to take account of the flagrant violations of the rights of peoples represented by colonialism, foreign occupation, genocide, ethnic cleansing, and the hatred voiced of Arabs, Africans, Asians and the peoples of Latin America, all issues which were not broached in the Declaration of Principles on Tolerance. The Declaration, in its second part, referred only to a single religious and ethnic group, which was also the only one referred to in paragraph 18 of the Plan of Action.

33. That said, his delegation reaffirmed that it would respect the provisions of the Declaration of Principles on Tolerance and the Plan of Action, since it intended to contribute to the quest for effective solutions to the problems of today's world.

Draft resolution A/C.3/51/L.52: Strengthening of the rule of law

34. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.52; there were no programme budget implications.

35. MR. TAVARES (Brazil) said that the following countries had joined the sponsors of the draft resolution: Bosnia and Herzegovina, Ethiopia, Mali and the United Kingdom of Great Britain and Northern Ireland. Burundi, however, was not a sponsor.

36. The CHAIRMAN announced that the following countries had also joined the sponsors: Belgium, Congo, Fiji, Haiti, Kenya, Lesotho, Madagascar, Malta, Marshall Islands, Mongolia, Morocco, Poland, San Marino, Samoa and Ukraine.

37. Draft resolution A/C.3/51/L.52 was adopted.

Draft resolution A/C.3/51/L.54: Human rights and extreme poverty

38. The PRESIDENT invited the Committee to consider draft resolution A/C.3/51/L.54; there were no programme budget implications. Belgium, Benin, Bhutan, Burundi, Fiji, Guinea, Indonesia, Mongolia, Niger and Rwanda had joined the sponsors.

39. Mr. BARRETO (Peru) said that Italy and Madagascar had also joined the sponsors of the draft resolution.

40. Draft resolution A/C.3/51/L.54 was adopted.

Draft resolution A/C.3/51/L.57: Right to development

41. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.57; there were no programme budget implications. Croatia, Fiji, Kenya (on behalf of the member countries of the Non-Aligned Movement), Marshall Islands and Portugal had joined the sponsors.

42. Ms. NEWELL (Secretary of the Committee) said that the word "effort", in the penultimate line of paragraph 8, should be in the plural.

43. Draft resolution A/C.3/51/L.57 was adopted.

The meeting was suspended at 4.45 p.m. and resumed at 5.45 p.m.

Draft resolution A/C.3/51/L.58: Enhancement of international cooperation in the field of human rights

44. Mr. BORDA (Colombia), speaking on behalf of the Non-Aligned Movement, said that in the negotiations on the draft resolution the various groups had not achieved a consensus, notwithstanding the formulation of specific proposals. The sponsors proposed to revise the text in the following way: in paragraph 2, by replacing the words "Requests the Chairman of" with "Invites"; and by deleting the phrase "in carrying out the task assigned to him".

45. Mr. BIGGAR (Ireland), speaking on behalf of the European Union, said that his delegation had taken part in the consultations with a view to attaining consensus on the draft resolution. Unfortunately, the consultations had not achieved that result. The proposed text, which was too vague, should have been considered further. The European Union could support it only if the following

amendments were accepted: to merge the first two preambular paragraphs into one, reading: "Recognizing that international cooperation for the promotion and protection of human rights is essential for the achievement of the purposes of the Charter of the United Nations". The third preambular paragraph, which would now become the second, would read: "Encouraging the Working Group on Human Rights of the Third Committee to continue its efforts with a view to accomplishing its mandate before the conclusion of the fifty-first session of the General Assembly". If consensus could not be reached on those amendments, the European Union would vote against the draft resolution.

46. Mr. BORDA (Colombia) said that the proposal made by the European Union was the same as that which it had put forward in informal consultations, and which had been rejected. He called on the Committee to take a decision on the original text, as orally revised by his delegation.

47. Mr. BIGGAR (Ireland) said that it was unfortunate that the Non-Aligned Movement had not taken the proposal by the European Union into account. He requested a recorded vote.

48. The CHAIRMAN said that the draft resolution had no programme budget implications. She invited those delegations wishing to speak in explanation of vote before the vote to take the floor.

49. Ms. TAMLYN (United States of America) said that she supported the statement made by the delegation of Ireland on behalf of the European Union. More time should have been given to the consideration of the draft resolution. Furthermore, since it concerned international cooperation, the draft resolution should have been drawn up by all the regional groups. For those reasons, the United States would vote against the draft resolution.

50. Mr. DEKANY (Hungary) said that his delegation supported the view expressed by Ireland and the European Union. Underscoring his country's commitment to international cooperation, he expressed concern at the fact that that question, which should be the subject of a consensus, had become a source of discord and that the time allocated for consultations had not sufficed in order to resolve the differences of opinion. Under those conditions, his delegation would vote against draft resolution A/C.3/51/L.58.

51. Mr. RAMISCHVILI (Russian Federation) urged the sponsors of the draft resolution to consider postponing the taking of a decision on the text in question. He stressed the importance of the issue under consideration and said that it involved the authority itself of the Third Committee.

52. Mr. KULYK (Ukraine) said that he supported the proposal by the Russian Federation.

53. Mr. BORDA (Colombia), speaking on point of order, pointed out that the voting process had begun and must continue in accordance with the rules of procedure.

54. Ms. CASTRO DE BARISH (Costa Rica) said that, since it was not possible to take a decision on the proposal by Ireland, her delegation would not participate in the vote on draft resolution A/C.3/51/L.58.

55. At the request of Ireland, a recorded vote was taken on draft resolution A/C.3/51/L.58.

In favour: Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Benin, Bosnia and Herzegovina, Cyprus, El Salvador, Fiji, Georgia, Kazakstan, Panama, Paraguay, Russian Federation, Uruguay.

56. Draft resolution A/C.3/51/L.58 was adopted by 94 votes to 38, with 15 abstentions.

57. Mr. AQUARONE (Netherlands), speaking in explanation of vote after the vote, said that he supported Ireland, which had endeavoured to take account of the concerns of all groups. It was ironic that consensus had not been reached on a draft resolution dealing with international cooperation. That question had already been considered in Geneva and it was regrettable that the sponsors of the draft resolution had not accepted the proposal by the European Union. One might wonder how cooperation in the field of human rights could be ensured under such conditions.

58. Ms. SMOLCIC (Uruguay) said that her delegation reserved the right to make a statement in a plenary session of the General Assembly on the item dealt with in the draft resolution.

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/51/L.40, L.49 and L.55)

59. The CHAIRMAN said that the sponsors of draft resolution A/C.3/51/L.40 had requested the Committee to defer taking action on the text to subsequent meeting.

Draft resolution A/C.3/51/L.49: Situation of human rights in Afghanistan

60. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.49, which did not have any programme budget implications. In paragraph 10 of the draft resolution, the word "Mohammed" before the word "Najibullah" should be deleted.

61. Mr. ALAIDEROOS (Yemen) said that, as in the past, his delegation would not participate in a vote on draft resolutions on the human rights situation in specific countries. He wished to reserve his delegation's right to express its position in a plenary meeting of the General Assembly.

62. Draft resolution A/C.3/51/L.49 was adopted without a vote.

Draft resolution A/C.3/51/L.55: Human rights in Haiti

63. Mr. de ROJAS (Venezuela) said that Finland had joined the sponsors of the draft resolution.

64. The CHAIRMAN said that the draft resolution under consideration had no programme budget implications and that Austria, Belgium and Iceland had joined the sponsors. Mexico had been one of the initial sponsors. Chad, on the other hand, had been mistakenly included in the list of sponsors.

65. Draft resolution A/C.3/51/L.55 was adopted without a vote.

66. Mr. ESPECA (Haiti) expressed satisfaction at the adoption of the draft resolution. Since its return to constitutional order in October 1994, a new Haiti was being built on the basis of respect for human rights and fundamental freedoms. That was not an easy task in view of the state of collapse of the Haitian economy. Nevertheless, the improvements noted by the independent expert of the Commission on Human Rights and by others, including the group of friends of the Secretary-General, reflected the political changes under way in Haiti. The adoption of the draft resolution confirmed the continuation of the democratic process in the country.

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/C.3/51/L.42)

Draft resolution A/C.3/51/L.42: Report of the United Nations High Commissioner for Human Rights

67. The CHAIRMAN said that the draft resolution had no programme budget implications. Austria, Barbados, Belarus, Belgium, Greece, Italy, Malta, Slovakia and South Africa had joined the sponsors of the draft resolution.

68. Ms. MARTÍNEZ (Ecuador) said that the Bahamas, Bangladesh, France, Lithuania, Spain and the United States of America had joined the sponsors.

69. Ms. NEWELL (Secretary of the Committee) said that a correction had been made in the text of the draft resolution: in paragraph 3, the expression "Expresses its satisfaction" should be replaced by the words "Expresses its appreciation".

70. Ms. OUEDRAOGO (Burkina Faso) pointed out that the title of the draft resolution had been omitted in the French text.

71. Draft resolution A/C.3/51/L.42 as revised, had been adopted without a vote.

72. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 110 (e).

The meeting rose at 3.15 p.m.